

REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 8-13 will be pending. By this amendment claims 1-3 have been canceled (claims 4-7 have been previously canceled); claim 8 has been amended; and claim 13 has been added. No new matter has been added.

§ 102 Rejection of Claims 1-3 and 8-10

In Section 4 of the Office Action, the Examiner has rejected claims 1-3 and 8-10 under 35 U.S.C. §102(e) as being anticipated by Matsuzaki *et al.* (U.S. Patent 6,289,314; hereinafter referred to as "Matsuzaki").

In the Background section of the Specification, it was disclosed that "[i]f a user possesses two or more information processing apparatuses, he/she must purchase content and settle its usage charge for each information processing apparatus, which causes a problem ..." *Page 1, lines 19-21 of the Specification*. To solve this problem, embodiments of the present invention provides that one of the information processing apparatuses should perform proxy account settlement with a content provider for the other information processing apparatuses so that the other apparatuses can receive media contents directly from the content provider without having to perform additional account settlements.

The structure of an information processing system in claim 8, as presented herein, is configured to process media contents from a content provider. The system includes:

“at least one information processing apparatus; (*e.g.*, receiver 201 in FIG. 1)

a control apparatus (*e.g.*, service provider 3 in FIG. 1) configured to control the flow of

said media contents from said content provider (e.g., content provider 2 in FIG. 1) to said at least one information processing apparatus; and

a master information processing apparatus (e.g., receiver 51 in FIG. 1) in communication with said at least one information processing apparatus and said control apparatus, said master information processing apparatus including:

a first transmitter to transmit appropriate proxy account settlement information to said at least one information processing apparatus;

a first receiver to receive accounting information from said at least one information processing apparatus sent in response to said proxy account settlement information, said accounting information related to payment for media contents received directly by said at least one information processing apparatus from said content provider, said first receiver generating payment information when said accounting information is processed;

a second transmitter to transmit said payment information to said control apparatus; and

a second receiver to receive registration conditions from said control apparatus, said registration conditions prepared in response to receiving said payment information from the master information processing apparatus that settles payment for media contents received directly by said at least one information processing apparatus.”

Claim 8 (examples added)

The Examiner indicates in Section 4 that the ‘at least one information processing apparatus’ in claim 8 is equivalent to the plurality of terminals 3 in Figure 2 of Matsuzaki; the

'control apparatus' to the server 2; the 'master information processing apparatus' to the server 2; the 'first transmitter' to the discount information storing portion 254; the 'first receiver' to the server I/F 24; the 'second transmitter' to the connection between the server I/F 24 and the terminal managing portion 25; and 'the second receiver' to the second charge managing portion 223.

However, parallels between these elements in claim 8 and Figures 2 & 3 of Matsuzaki leave Matsuzaki's terminals 3 (equivalent to at least one information processing apparatus in claim 8) always receiving media contents from the transmitting station through the server 2, after the proxy account settlement is performed at the server. Therefore, the apparatus of Matsuzaki as embodied in Figures 2 and 3, and including the elements recited above, fails to solve the problem of the conventional information processing apparatuses as described above.

Based on the foregoing discussion, it is maintained that Matsuzaki fails to teach or suggest the information processing system as configured in claim 8, and thus, it is maintained that claim 8 is not anticipated by the teachings of Matsuzaki. Furthermore, since claims 9-10 depend from claim 8, claims 9-10 should also be allowable over Matsuzaki. Claims 1-3 have been canceled. Accordingly, it is submitted that the Examiner's rejection of claims 1-3 and 8-10 based upon 35 U.S.C. §102(e) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§ 103 Rejection of Claims 11 and 12

In Section 6 of the Office Action, the Examiner has rejected claims 11 and 12 under 35 U.S.C. §103(a) as being unpatentable over Matsuzaki as applied to claim 8 above. This rejection is respectfully traversed.

Claims 11 and 12 depend from claim 8, and thus include all the limitations of claim 8.

Based on the foregoing discussion regarding Matsuzaki with respect to claim 8, it is maintained that claims 11 and 12 should be allowable over Matsuzaki. Accordingly, it is submitted that the Examiner's rejection of claims 11 and 12 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

Newly-added Claim

Newly-added claim 13 is a method claim that closely parallels and includes substantially similar limitations as claim 8. Therefore, claim 13 should also be allowable over Matsuzaki.

Conclusion

In view of the foregoing, entry of this amendment, and the allowance of this application with claims 8-13 are respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes that have been made to these claims were not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes were made simply for clarification and to round out the scope of protection to which Applicant is entitled.

In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

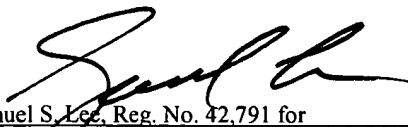
PATENT
Appl. No. 09/719,015
Attorney Docket No. 450108-02585

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:


Samuel S. Lee, Reg. No. 42,791 for
William S. Frommer
Reg. No. 25,506
(212) 588-0800